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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,094	11/05/2003	Robert P. Madill JR.	5053-64100	6815

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EXAMINER

WINTER, JOHN M

ART UNIT PAPER NUMBER

3621

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/702,094

Applicant(s)

MADILL ET AL.

Examiner

John M Winter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 66- 84, 101, 113, 134 and 146 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 66- 84, 101, 113, 134 and 146 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

Claims 66- 84,101,113,134 and 146 have been examined.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 66- 84,101,113,134 and 146 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torres et al., (US Patent Application No 2005/0043961) in view of Forman (US Patent No 6,826,536)

As per claim 66,

Torres et al. ('961) discloses a method, comprising:

providing at least two fraud potential indicators for at least one request,;(paragraph 21)  
displaying at least two fraud potential indicators in a graphical user interface.(Figure 7)

Torres et al. discloses the claimed invention except for "two fraud potential indicators", It would have been obvious to one having ordinary skill in the art at the time the invention was made to use two fraud potential indicators, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Torres et al. ('961) does not explicitly disclose wherein at least two fraud potential indicators are assessed using at least two fraud potential detection techniques

. Schneck et al. ('498) discloses wherein at least two fraud potential indicators are assessed using at least two fraud potential detection techniques (column 4, lines 57-64) It would be obvious to one having ordinary skill in the art at the time of the invention to combine Torres et al. ('961)'s method with Forman's teaching in order to promote correct assessment of fraud by using multiple indicators .

Claims 76 and 80 are in parallel with claim 66 and are rejected for at least the same reasons.

As per claim 67,

Torres et al. ('961) discloses the method of claim 66,

wherein clicking on at least one fraud potential indicator for the at least one request will display information about the at least one request. (paragraph 47, figure 7)

As per claim 68,

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Torres et al. ('961) discloses the method of claim 66, further comprising displaying information in the graphical user interface, wherein information displayed in the graphical user interface for the request comprises at least one of: a name; an office; a number assigned to the request; a request date; and a score date. (Figure 9)

As per claim 69,  
Torres et al. ('961) discloses the method of claim 66, further comprising wherein at least one request is an insurance claim, and at least one insurance claim is organized into lists according to at least two of referred claims, assigned claims, or rejected claims, and wherein selecting a graphical component respective to at least one of a referred claims, desired claims, or rejected claims brings up a list of claims in the corresponding list.(Figure 9)

As per claim 70,  
Torres et al. ('961) discloses the method of claim 66, further comprising further comprising changing a criteria about which claims to display by selecting a filter graphical component. (Figure 8)

As per claim 71,  
Torres et al. ('961) discloses the method of claim 66, further comprising assigning at least one request by selecting an desired graphical component. (Figure 7)

As per claim 72,  
Torres et al. ('961) discloses the method of claim 66, further comprising rejecting at least one request by selecting a reject graphical component.(Figure 1)

As per claim 73,  
Torres et al. ('961) discloses the method of claim 66,  
wherein at least one fraud potential detection technique comprises predictive modeling.(Paragraph 21)

Claims 77 and 81 are in parallel with claim 73 and are rejected for at least the same reasons.

As per claim 74,  
Torres et al. ('961) discloses the method of claim 66,  
Official Notice is taken that "at least one fraud potential detection technique comprises at least one identity search of insurance claim data" is common and well known in prior art in reference to fraud detection protocols. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use an identity search in order to expose any aliases that the claim filer may have used in the past.

Claims 78 and 82 are in parallel with claim 74 and are rejected for at least the same reasons.

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As per claim 75,  
Torres et al. ('961) discloses the method of claim 66,  
wherein at least one fraud potential detection technique comprises assessing request data  
using at least one business rule (Paragraph 21).

Claims 79 and 83 are in parallel with claim 75 and are rejected for at least the same reasons.

As per claim 84,  
Torres et al. ('961) discloses a method, comprising:  
providing at least two fraud potential indicators for at least one request;(paragraph 21)  
and assessing a probability of fraud to at least one request based on at least one fraud potential  
indicator, wherein a probability of fraud of the at least one request comprises a rank of at least  
one fraud potential indicator of the at least one request relative to fraud potential indicators of  
another request. (Figure 8)

Torres et al. discloses the claimed invention except for "two fraud potential indicators", It  
would have been obvious to one having ordinary skill in the art at the time the invention was  
made to use two fraud potential indicators, since it has been held that mere duplication of the  
essential working parts of a device involves only routine skill in the art. *St Regis Paper Co. v.*  
*Bemis Co.*, 193 USPQ 8.

As per claim 113,  
Torres et al. ('961) discloses a method, comprising:  
assessing at least two fraud potential indicators for an insurance claim using at least two of an  
identity search engine, a predictive model engine, or a business rule engine, displaying  
information about an insurance claim including identifying information for the claim and the  
at least two fraud potential indicators for the insurance claim; and displaying at least one tab,  
wherein selecting the at least one tab displays information related to the claims associated  
with a reference on the at least one tab selected.(Figures 7 and 9)

Torres et al. discloses the claimed invention except for "two fraud potential indicators", It  
would have been obvious to one having ordinary skill in the art at the time the invention was  
made to use two fraud potential indicators, since it has been held that mere duplication of the  
essential working parts of a device involves only routine skill in the art. *St Regis Paper Co. v.*  
*Bemis Co.*, 193 USPQ 8.

### ***Conclusion***

Examiners note: Examiner has cited particular columns and line numbers in the  
references as applied to the claims above for the convenience of the applicant. Although the  
specified citations are representative of the teachings of the art and are applied to the specific  
limitations within the individual claim, other passages and figures may apply as well. It is  
respectfully requested from the applicant in preparing responses, to fully consider the references

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in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

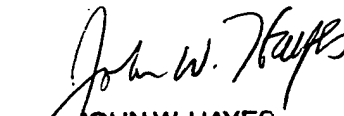
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

March 18, 2005

JMW

  
JOHN W. HAYES  
PRIMARY EXAMINER